

AB 1482 Statewide Legislation (Effective January 1, 2020)

Reminder...

City Staff is not able to offer legal advice.

But...

We can offer tips, best practices, and an overview of City actions regarding the CSFRA and AB 1482

New State Law: AB 1482

- Basics
- Rent Caps
- Just Cause Protections
- Rent Rollbacks

AB 1482

Basics



What is AB 1482?

AB 1482 is a statewide law that protects tenants by

- Limiting the amount a landlord can increase rent
- Requiring a just cause if a landlord wants to evict a tenant

Does AB 1482 apply to CSFRA Covered Units?

NO, the CSFRA (Mountain View's local rent stabilization law) is more protective and takes precedence over AB 1482.

**If your rental unit is covered by
Mountain View's rent stabilization law,
AB 1482 DOES NOT APPLY**

Who is covered by AB 1482?

- Rental properties built between 1995 and 2004
- Duplexes built before 2004 if the owner does not live in the duplex
- Single family homes built before 2004 if a corporation owns the home

What Units are Exempt from AB 1482?

- **Covered by local rent stabilization** and/or local just cause
- Built within last 15 years
- Hotels, hostels, short stay housing, lodgers
- Non-profit hospital, religious, extended care, elderly care facilities
- Student dormitories
- Affordable Housing (subsidized, HUD, deed restricted)
- Duplex where landlord lives on property
- Single-Family Homes/Condos with no corporate ownership
 - Covered if owned by corporation, REIT, LLC with corporate member
 - Covered if failure to provide required notice

EXEMPT



AB 1482

Caps on Rent Increases

What Annual Rent Increases are Allowed?

For AB 1482 covered rental units in Mountain View that are **NOT COVERED** by the CSFRA

- Rent increases are limited annually to 5% plus CPI.
- In Santa Clara County that would amount to 8.3% for 2020



2020 =
8.3%

AB 1482: Caps on Rent Increases

Frequency	Maximum of two in any twelve month period
Amount per year	Percent change in CPI + 5% or 10% whichever is lower (2020 = 8.3%)
Sublease	Master tenant cannot sublease premises at higher rate than allowable rent charged by landlord

AB 1482

Just Cause Protections



AB 1482: When is Just Cause Applicable?

- Applicable after 12 months of tenancy
 - If new tenant added to lease within 24 months, then applicable if:
 - all tenants have resided in property for 12 months; or
 - one tenant has resided in property for 24 months
- Excludes units covered by local regulation (i.e. CSFRA)

AB 1482 – Just Cause Protections

<u>Tenant At Fault</u>		<u>Tenant No Fault</u>
A. Failure to pay rent	G. Lease violation re: subletting	A. Owner Occupancy (includes certain family members)
B. Breach of material lease term	H. Refusal to allow landlord entry	B. Ellis Act withdrawal from rental market
C. Nuisance	I. Certain drug-, gun-, other crimes	C. Government orders to vacate (e.g. habitability issues)
D. Property damage	J. Employee termination from employee housing	
E. Refusal to renew same lease terms	K. Failure to move after tenant gives notice	D. Demolition or substantial remodel
F. Criminal Activity		

AB 1482: Tenant Relocation Assistance

- Mandatory relocation assistance required for “No Fault” evictions
 - One month’s rent
- Landlord to pay within 15 days of notice of termination
- If agreed by parties, final month’s rent can be waived instead



AB 1482

Rent Rollback

AB 1482: Rent Increase Rollback

If any rent increase between

March 15, 2019 – January 1, 2020

was *above* the allowable amount (8.3%)

The landlord must *decrease* the rent on January 1, 2020, to the previous rent amount plus allowable increase of 8.3%

AB 1482: Rent Increase Rollback

Example:

Tenant received rent increase of 10% on May 1, 2019.

This is above the allowable amount of 8.3%

The landlord must decrease the rent on January 1, 2020, to previous rent amount plus allowable increase of 8.3%

AB 1482: Rent Increase Rollback

In Units covered by AB 1482:

The landlord does not have to repay the rent paid above the allowable increase between March 15, 2019 and January 1, 2020.



AB 1482

Noticing and Enforcement

AB 1482: Noticing Requirements

- Written notice that rental unit is covered by just cause and rent cap
- Written notice that rental unit is NOT under corporate ownership and therefore exempt (single family/condo)
- After July 1, 2020 required notice must be addendum to lease or a written notice signed by tenant (provide copy to tenant)
- For leases prior to July 1, 2020, required notice must be provided no later than August 1, 2020

AB 1482: Enforcement

No enforcement provisions in AB1482

Rent Cap

?

Just Cause

Affirmative defense in
UD action?

AB 1482 in Mountain View (Apartments)

Multi Family Units	Built before 2/1/1995	Built between 2/1/1995- 12/23/2016	Less than 15 years old
Rent Cap	CSFRA	AB1482	Exempt
Multi Family Units	Built before 12/23/2016	Built after 12/23/2016	
Just Cause	CSRFRA	Exempt	

AB 1482 in Mountain View (Duplexes)

Duplexes	More than 15 years old and NOT owner occupied	Less than 15 years old or owner occupied for entire tenancy
Rent Cap	AB1482	Exempt
Just Cause	AB1482	Exempt

AB 1482 in Mountain View

Single Family Homes	Houses more than 15 years old; Owned by Corp., REIT, some LLCs; Failure to notify tenants of exemption	Houses less than 15 years old; Not owned by Corp., REIT, some LLCs; Special notice to tenants required
Rent Cap	AB1482	Exempt
Just Cause	AB1482	Exempt

Resources

Available for the
Mountain View Community

Resources



Website

Brochures

Mountain View Rental Housing Helpline

Petition Clinics

Educational Workshops

Mountain View Mediation Program

Legal Resources

- Rent Stabilization Home
- Annual General Adjustments
- Program Updates
- Tenants
- Landlords
- Forms & Notices
- CSFRA Act, Regulations & Resolutions
- Rental Housing Committee
- Community Resources
- Publications
- Workshops and Events
- FAQs



ASK MV



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SOCIAL MEDIA CENTER

RENT STABILIZATION

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Is your unit fully covered by the CSFRA?

Built before 1995

3 or more units

Not a government or subsidized rental unit

To check if your multi-family rental property is covered by the CSFRA, click on this map.


CSFRA Coverage

Click here to learn if your unit is covered.

UPDATE: 2019 COMMUNITY WORKSHOPS

The Mountain View Rent Stabilization Program hosts workshops to increase community awareness and understanding of the rental protections in Mountain View. The final workshop for 2019 has changed! See new topic below!

December 12 (NEW TOPIC!!!): Statewide Rent Stabilization and Just Cause Eviction Protections*: Governor Newsom recently signed AB 1482: The Tenant Protection Act of 2019, which expands rent stabilization and just cause eviction protections statewide. Come to this workshop to learn more about the new law and



Community Stabilization and Fair Rent Act (CSFRA) program

— 2019 Workshops —


Topic	Date	Time	Location
Statewide Rent Stabilization and Just Cause Eviction Protections	December 12	6:00 PM - 7:30 PM	Mountain View City Center
...

Program Brochure

What is the Community Stabilization and Fair Rent Program?

The City of Mountain View implements the Community Stabilization and Fair Rent Act (CSFRA), a voter approved measure (Measure V, 2016), to stabilize the community by reducing rental housing turnover in certain rental units.

What units are covered?



Most multi-family rental properties built before December 23, 2016 are either fully or partially covered by the CSFRA.

Fully Covered

- Built before 1995
- 3 or more units
- Not a government or subsidized rental unit

Partially Covered

- Built between 1995 and 2017
- 3 or more units
- Not a government or subsidized rental unit


To check if your multi-family rental property is covered by the CSFRA, use the map tool provided by the City of Mountain View at mountainview.gov/rentstabilization

Mountain View Housing Helpline


Phone: (650) 282-2514

Email: csfra@housing.org


Address: 500 Castro Street, Mountain View, CA 94041




Walk-in Office Hours
Thursdays
12:00 p.m. to 2:00 p.m.
City Hall, 1st Floor
Public Works Front Conference Room



CSFRA Workshops
1st and 3rd Fridays
1:00 p.m. to 3:00 p.m.
City Hall, 2nd Floor
Plaza Conference Room



Community Stabilization and Fair Rent Act Program



City of Mountain View
mountainview.gov/rentstabilization

What are the goals of the CSFRA?

- Stabilize Rents
- Provide Eviction Protections
- Ensure a Fair Rate of Return

Stabilize Rents

- Landlords may raise the rents of **fully covered** units **once every 12 months**
- State law requires landlords to provide written notice of a rent increase
- Tenants may file a petition for 4 reasons:
 - Payment of rent in excess of lawful rent
 - Violation of health and safety or building codes
 - Reduction in services or maintenance
 - Undue tenant hardship
- Before filing a petition, tenants should **carefully review** instructions located on the website and in the petition form

Provide Eviction Protections

- Both **fully** and **partially covered** units have eviction protections
- A tenancy can only be terminated for 7 specific reasons
- Termination Notices must state the reason a tenant is being evicted
- Landlords must:
 - Give a "Notice to Cease" before issuing certain terminations
 - File a copy of Termination Notices with the Rental Housing Committee
 - Offer relocation payments and a First Right of Return for eligible tenants for certain terminations

Ensure a Fair Rate of Return

- Rents can be raised on **fully covered** units:
 - Once every 12 months
 - By a CPI percentage announced annually by the RHC
- Landlords may file a petition for upward adjustment of rent for 1 reason:
 - Ensure a fair and reasonable rate of return
- The petition process ensures a fair rate of return by maintaining **net operating income** for a property from year to year
- Before filing a petition, Landlords should **carefully review** instructions located on the website and in the petition form

29

Rental Housing Helpline

Contact Information

Phone: (650) 282-2514

Email: csfra@housing.org

Mountainview.gov/rentstabilization

Walk-in Office Hours

Thursdays

12:00 p.m. to 2:00 p.m.

City Hall, 1st Floor

Public Works Front Conference
Room

(habla español)

Petition Clinics

We've Moved!

Petition Clinics now held at our
new office!

298 Escuela Ave.
Mountain View, CA

1st and 3rd Friday of the Month!



Workshops

January 16, 2020

**Property Owner Registration
and Annual Fee
(Landlord Focused)**

Mountain View City Hall | 500 Castro Street
Plaza Conference Room | 2nd Floor
6:30 p.m.

February 20, 2020

**Reasonable Accommodations
and ADA Compliance
(Open to all)**

Mountain View Community Center | 201 S Rengstorff Ave
Maple Room
6:30 p.m.

Consider Mediation: MV Mediation Program



- Free!
- Mediated discussion
- Confidential
- High success rate

Legal Resources

Santa Clara County Bar Association Lawyer Referral Service	(408) 971-6822 www.sccba.com
Law Foundation Silicon Valley (Volunteer Eviction Assistance Collaborative)	(408) 280-2424 https://www.lawfoundation.org/
Community Legal Service EPA	(650) 391-0354 http://www.clsepa.org/
Bay Area Legal Aid	(408) 850-7066 https://baylegal.org/get-help/
Asian Law Alliance:	(408) 287-9710 http://asianlawalliance.org/
California Dept. of Consumer Affairs Landlord-Tenant Handbook:	http://www.dca.ca.gov/publications/landlordbook/index.shtml
Superior Court Self-Help Center	(408) 882-2926 http://www.scscourt.org/self_help/civil/ud/ud_resources.shtml
Nolo Publishing Company (Landlord – Tenant)	https://store.nolo.com/products/landlord-tenant

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